

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BOBBIE DEANNA RUFF,

Plaintiff,

v.

Case No. 24-cv-12921
Honorable Linda V. Parker

UNITED STATES OF AMERICA,
REP. TYRONE A. CARTER,
THE CITY OF DETROIT,
THE CITY OF RIVER ROUGE,
DM BURR GROUP SECURITY,

Defendants.

**OPINION AND ORDER GRANTING PLAINTIFF’S APPLICATION TO
PROCEED IN FORMA PAUPERIS, SUMMARILY DISMISSING
COMPLAINT, AND DENYING AS MOOT
MOTION TO APPOINT COUNSEL**

On November 4, 2024, Plaintiff filed this pro se lawsuit against Defendants, a motion to proceed in forma pauperis (“IFP”), and a motion seeking the appointment of counsel. The Court is granting Plaintiff’s motion to proceed IFP. However, the Complaint is subject to summary dismissal pursuant to 28 U.S.C. § 1915(e)(2). Therefore, the Court is summarily dismissing the Complaint and denying as moot Plaintiff’s motion for the appointment of counsel.

District courts are required by statute to dismiss an action filed IFP if the complaint is frivolous, malicious, fails to state a claim upon which relief can be

granted, or seeks monetary relief from a defendant immune from such relief. 28 U.S.C. § 1915(e)(2); *see also McGore v. Wigglesworth*, 114 F.3d 601, 608-09 (6th Cir. 2007). A complaint is frivolous if “it lacks an arguable basis either in law or in fact” or describes “fantastic or delusional scenarios.” *Neitzke v. Williams*, 490 U.S. 319, 325, 328 (1989). “[A] finding of factual frivolousness is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible.” *Denton v. Hernandez*, 504 U.S. 25, 33 (1992). A plaintiff must allege facts “sufficient ‘to raise a right to relief above the speculative level,’ and to ‘state a claim to relief that is plausible on its face.’” *Hensley Mfg. v. ProPride, inc.*, 579 F.3d 603, 609 (6th Cir. 2009) (quoting *Bett Atl. Corp. v. Twombly*, 550 U.S. 544, 555, 570 (2007)).

Pro se complaints are held to “less stringent standards” than those drafted by lawyers. *Haines v. Kerner*, 404 U.S. 519, 520 (1972). Nevertheless, even under this liberal standard, Plaintiff’s Complaint is subject to summary dismissal.

Plaintiff alleges that she was subpoenaed to testify as a federal witness and, since then, has been stalked and harassed by Michigan State Representative Tyrone Carter and Representative Carter’s “aiders and abettors.” Plaintiff claims she has been cyberstalked, hacked, and subjected to sexual harassment via cellphone text messages. She alleges that Representative Carter had another individual place “an Alexa” in Plaintiff’s home, which he monitored, and that he had officers stop and

harass her. According to Plaintiff, she has a criminal appeal pending and Representative Carter bribed the court system and a Michigan agency.

These allegations are not credible and fail to allege facts “sufficient to raise a right to relief above the speculative level.” They are similar to allegations Plaintiff has asserted in previous lawsuits. Moreover, Plaintiff fails to assert any allegations against most of the named defendants. *See, e.g., Ruff v. Wilson, et al*, No. 23-cv-10636 (E.D. Mich. Mar. 17, 2023), ECF No. 1; Compl., *Ruff v. United States, et al.*, No. 22-cv-12805 (E.D. Mich. filed Oct. 26, 2022), ECF No. 1; Compl., *Ruff v. United States, et al.*, No. 22-cv-12569 (E.D. Mich. filed Oct. 26, 2022), ECF No. 1. Each of those cases was summarily dismissed under § 1915(e).

Accordingly,

IT IS ORDERED that Plaintiff’s application to proceed IFP (ECF No. 2) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff’s Complaint is summarily dismissed pursuant to 28 U.S.C. § 1915(e)(2).

IT IS FURTHER ORDERED that Plaintiff’s Motion to Appoint Counsel (ECF No. 3) is **DENIED AS MOOT**.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: November 7, 2024

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, November 7, 2024, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan

Case Manager